### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS (EASTERN DIVISION)

IN RE:

Ca

Case No.: 20-03841

Ruby J. Adams

Chapter: 13

Debtor(s)

Judge David D. Cleary

# AFFIDAVIT IN SUPPORT OF MOTION FOR RELIEF FROM AUTOMATIC STAY

I, Joelly M. Carvajal, declare under penalty of perjury as follows:

Contract Management Coordinator

- 1. I am employed as a \_\_\_\_\_\_ of PHH Mortgage Corporation and am authorized to sign this Affidavit on behalf of PHH Mortgage Corporation. (the "Movant"). This affidavit is provided in support of the Motion for Relief from Stay (the "Motion") filed contemporaneously herewith.
- 2. I make this affirmation based upon my review of the records with regards to this underlying loan transaction, which are kept in the ordinary course of business of PHH Mortgage Corporation. As part of my job responsibilities for PHH Mortgage Corporation, I have personal knowledge of and am familiar with the types of records maintained by PHH Mortgage Corporation in connection with the loan that is the subject of the Motion (the "Loan") and the procedures for creating those types of records. I have access to and have reviewed the books, records and files of PHH Mortgage Corporation that pertain to the Loan and extensions of credit given to Debtor(s) concerning the property securing such Loan.
- 3. The information in this affidavit is taken from PHH Mortgage Corporation's business records regarding the Loan. The records are: (a) made at or near the time of the occurrence of the matters recorded by persons with personal knowledge of the information in the business record, or from information transmitted by persons with personal knowledge; (b) kept in the course of PHH Mortgage Corporation's regularly conducted business activities; and (c) it is the regular practice of PHH Mortgage Corporation to make such records.

- 4. Ruby J. Adams has executed and delivered or is otherwise obligated with respect to that certain promissory note referenced in the Motion (the "Note"). Ruby J. Adams has executed and delivered or is otherwise obligated with respect to that certain Mortgage referenced in the Motion (the "Mortgage"). Pursuant to that certain Mortgage referenced in the Motion, all obligations of the Borrower(s) under and with respect to the Note and the Mortgage are secured by the property referenced in the Motion.
- 5. As of 05/01/2020, there are one or more defaults in paying Debtor(s) post-petition amounts due with respect to the Note.
- 6. As of 05/01/2020 the total unpaid principal balance is \$74,254.44 which includes the unpaid principal balance of \$50,904.72 and deferred principal balance of \$23,349.72.
- 7. The monthly post-petition payment amount is \$584.41. The following chart sets forth those post-petition payments, due pursuant to the terms of the Note, that have been missed by the Debtor(s) as of 05/01/2020:

Number of Missed Payments	From	То	Monthly Missed Principal and Interest	Monthly Missed Escrow (if applicable)	Monthly Payment Amount	Total Amounts Missed
3	3/1/2020	5/1/2020	\$236.25	\$348.16	\$584.41	\$1,753.23
Less post-pet	(\$0.00)					

Total: \$1,753.23

8. As of 05/01/2020 the total post-petition arrearage/delinquency is \$3,503.23, consisting of (i) the foregoing total of missed post-petition payments in the amount of \$1,753.23 plus (ii) the following post-petition fees:

Description	Amount	
Plan Review	\$250.00	
Objection to Confirmation	\$550.00	
Proof of Claim	\$700.00	
410A POC Pay History	\$250.00	

- 9. Attached hereto as Exhibit A is a post-petition payment history.
- 10. As of 05/01/2020, the debtor is in default for failure to make timely post-petition payments in the amount of \$1,753.23.

## Case 20-03841 Doc 23-3 Filed 06/04/20 Entered 06/04/20 13:41:00 Desc Affidavit Page 3 of 4

11. The pre-petition arrearage is \$9,151.46 pursuant to the Proof of Claim filed by Movant.

As of the date of this affidavit, the Chapter 13 plan has been confirmed.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 2 day of June, 2020.

Signature: Joelly M. Carvajal
Title: Contract Management Coordinator

PHH Mortgage Corporation.

### STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me be notarization, this <u>1</u> day of <u>June</u> 20 Management Coordinator PHH Mortgage Corporation we duced	20, by Joelly M. Carvajal as Contract
as identification.	•
Signature of Notary Public	Notary Public State of Florida Tyler Crawford
Name of Notary Public: Tyler Crawford  Notary Commission Expiration Date: (1/27/2021)  Personally known:	Typer Crawford My Commission GG 119268 Expires 06/27/2021
Or Produced Identification:	

14-18-10329



PHH Mortgage Services 1 Mortgage Way Mt. Laurel NJ 08054

Tel·877-688-7116' Fax·856-917-8003'

# \*\*IMPORTANT NOTICE\*\*

Upon written request, PHH Mortgage Services will provide the following information regarding the subject loan:

- A copy of the payment history through the date the account was last less than 60 days past due.
- A copy of the note.
- If foreclosure has been commenced or a POC has been filed, copies of any assignments of mortgage or deed of trust required to demonstrate the right to foreclose on the borrower's note under applicable state laws.
- The name of the investor that holds the loan.

Requests for this information/documentation can be sent to us at the following address:

PHH Mortgage Services Mailstop SBRP PO Box 5469 Mt. Laurel, NJ 08054

This notice is being provided for informational and compliance purposes only. It is not an attempt to collect a debt.